

REMARKS

Introduction

Claims 59-72 are pending in this application. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Reconsideration of this application for allowance of all pending claims are hereby respectfully requested in view of the amendments to the claims and the following remarks.

Specification

In the Office Action, the specification was objected to under 35 U.S.C. 132(a) because the Examiner stated that it introduces new matter into the disclosure. The Applicants respectfully disagree and submit that the amendment is supported by the application as originally filed and no new matter has been introduced. The Applicants direct the Examiner to paragraph 40, claim 62, and Figure 6 in the application as filed. The amendment made constitutes rephrasing of a portion of the specification as originally files. See paragraph 40. In addition, the Applicants respectfully submit that the amendment recites inherent function or property disclosed in the originally application and such function or property would have been recognized as such by those skilled in the art. Therefore, the Applicants respectfully request that the objection under 35 U.S.C. 132(a) be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

Claims 62-64 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as invention. The Applicants respectfully traverse the rejection.

The subject matter recited in claims 62-64 would have been readily understood by a person skilled in the art with reference to paragraph 40, the claim language, and Figures 6 and 7B. Claim 62 recites a gap provided in the spacing of the unlinked conducting surfaces for the electrode array so that when the electrode array and connector are placed in overlapping relation the gap is positioned with respect to the adjacent selected conducting surfaces of the connector so that the continuous conductive path does not extend directly therebetween.

Referring to Figures 6 and 7B, the spaced unlinked conducting surfaces 46 on the electrode array 31 are spaced generally around an opening provided by the array 31, and the spaced unlinked conducting surfaces 52 on the connector 53 are spaced around a similar opening provided by the connector 53. The two selected conducting surfaces (tabs 52 with ground connections 60) of the connector 53 (see Figure 7B) are adjacent to one another and a gap 46a is provided in the spacing of the corresponding unlinked conducting surfaces 46 of the electrode array 31 (see Figure 6). As can be seen in Figure 6, the electrode tabs 46 extend all the way around the inner circle of the array 31, except that toward the top there is a gap 46a in the spacing.

When the electrode array 31 and connector 53 are placed in staggered and overlapping relation, the gap 46a is positioned with respect to the adjacent two selected conducting surfaces (tabs 52 with ground connection 60) of the connector 53 so that the continuous path does not extend directly between the two selected conducting surfaces. In other words, a conductive path is provided between ground connectors 60 not directly between the adjacent two selected tabs 52, but via each of the tabs 46 and 52 spaced apart in staggered and overlapping arrangement around the openings in both the array 31 and connector 53.

In light of the clear meaning of the subject matter, the Applicants respectfully submit that claims 62-64 are not indefinite and request that rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections Under 35 U.S.C. § 103

Claims 59-68 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,660,177 (Faupel et al.) in view of U.S. Patent No. 5,277,197 (Church et al.).

Claims 59-64 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,660,177 (Faupel et al.) in view of U.S. Patent No. 5,277,197 (Church et al.), further in view of US Patent No. 4,660,562 (House, Sr.)

Claims 69-72 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Faupel et al. in view of Church et al., further in view of US Patent No. 3,841,312 (Corasanti). The Applicants respectfully traverse the 103 rejections.

The examiner rejected claim 65 as being obvious over Faupel in view of Church. Claim 65 has been amended in this Response. Support for the amendment can be found at paragraph 151 and with reference to Figures 6 and 7B. The amended claim 65 recites “placing the electrode array and the connector in electrical contact with respect to one another by staggering and overlapping at least one of the conductive surfaces of the electrode array with at least an adjacent two of the conducting surfaces of the connector to electrically connect the adjacent two of the conductive surfaces of the connector thereby forming a continuous conductive path between two selected conducting surfaces.

Faupel discloses, referring to FIG. 11 and Col. 18, lines 32065, a lattice array 176 including a basic lattice support 180 for the array, electrically circuitry 182 leading to each

electrode for the array 176, and individual circuits extending in spaced relationship to one or more attachment tabs 184. The individual circuits are connected to an apparatus via a ribbon cable connector 186, which snaps onto the attachment tab 184 to connect each individual electrode printed circuit to a ribbon cable 188, which includes a separate lead for each electrode circuit. In other words, a circuit for each electrode 106 is connected by the attachment tab 184 and the ribbon cable connector 186 to the ribbon cable 188, the ribbon cable 188 having a separate lead for each electrode.

The Applicants also respectfully submit that Faupel fails to disclose or suggest staggering and overlapping conductive surfaces of an electrode array with an adjacent two conductive surfaces of a connector to electrically connect the adjacent two of the conductive surfaces of the connector. Church, House Sr., and Corasanti also failed to disclose or suggest these features. Thus, for at least these reasons, claim 65 is patentable over the cited references. By virtue of their dependency, the remaining claims are also patentable for at least those reasons and for additional features recited therein. Therefore, the Applicants respectfully request that rejections of claims 59-68 over Faupel in view of Church, claims 59-64 over Faupel in view of Church and further in view of House Sr., and claims 69-72 over Faupel in view of Church and further in view of Corasanti under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicant's attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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